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March 13, 2025

Via ECF:

The Honorable Mary Kay Vyskocil
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/13/2025
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Re: **Morales et al v. Uveral Meat Market & Grocery Corp. et al.**
Civil Docket No.: 1:24-cv-08609-MKV

Dear Judge Vyskocil,

We represent the Plaintiff in the above-referenced matter, and we respectfully submit this letter motion to respectfully request the Court for an extension of two (2) weeks, to file the Plaintiff's Motion for Default Judgment against all Defendants.

On February 28, 2025, Plaintiff filed his response to the Court's Order to Show Cause. *See* Dkt. No. 25. Shortly thereafter, our office was contacted by Rafael Veras from Canillas & Associates, who represented himself as the attorney of individual Defendant Jahn Cruz Ynfante. Mr. Veras and our office briefly discussed the case including the possible resolution of this matter. Yesterday, we reached out to Mr. Veras via email to inquire about his formal appearance on this case so that we can determine our next steps and we are hopeful that he would take action to appear since he has indicated that he represents at least one of the Defendants. Our hope was that counsel would appear and obviate the need for the instant motion. As such, we apologize for not making this request at least two days in advance of the upcoming deadline.

To give the Defendants another opportunity to retain counsel, answer, and defend in this Action, so that this action may be adjudicated on the merits, we respectfully request two (2) weeks to file the Plaintiff's Motion for Default Judgment. If this request is granted, Plaintiff can file his motion on or before March 28, 2025.

This is Plaintiff's second request for an extension of this deadline and this will not affect any other deadlines.

We thank The Court for its kind consideration on this matter, and we remain available to provide any additional information.

Respectfully submitted,

Roman Avshalumov
Roman Avshalumov, Esq.

CC (via U.S. First Class Mail):

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Via Email:

RAFAEL VARGAS

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Despite Plaintiff's brief contact with an attorney holding himself out as representing on of the defendants, the status of this case remains largely unchanged since the Court issued an Order to Serve or Show Cause a month ago. [ECF No. 11]. Each Defendants' deadline to answer the complaint has passed and not one has filed a response. Also, as Plaintiff acknowledges, this request is untimely. Nevertheless, Plaintiff's request to extend the deadline to file a motion to dismiss to March 28, 2025 is HEREBY GRANTED. No further extensions will be granted absent unforeseen and extraordinary circumstances.

The parties are reminded that failure to comply with this Order or with any order of the Court or failure to comply with the FRCP, the Local Rules for the SDNY or this Court's Individual Practice Rules, or the parties' discovery or other obligations thereunder may result in sanctions, including monetary penalties on counsel and/or the parties, dismissal or preclusion of claims, defenses, arguments, or evidence. SO ORDERED.

Date: 3/13/2025
New York, New York

Mary Kay Vyskocil
Mary Kay Vyskocil
United States District Judge